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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/727,919	12/01/2000	Yukihiko Aoki	450100-02892	6325

20999 7590 06/30/2005

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EXAMINER	
ONUAKU, CHRISTOPHER O	

ART UNIT	PAPER NUMBER
2616	

DATE MAILED: 06/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/727,919	AOKI ET AL.	
	Examiner	Art Unit	
	Christopher Onuaku	2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *02 February 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-7 and 16-22* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-7 and 16-22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-7&16-22 have been considered but are moot in view of the new ground(s) of rejection.

Furthermore, with reference to the applicant's arguments of the independent claims 1,6,7,16,21&22, it is pertinent to point out that Okuyama discloses that the cassette memory unit 33 is capable of sending and receiving data to and from the I/F circuit 31, and is designed to be able to send and receive data to and from the program guide GUI generating part 25 of the TV2 through the I/F circuits 21, 31 and the 1394 cable 5. In col.4, line 5 to col.5, line 47, Okuyama discloses how a user using a remote control means, for example, can request for a program to be recorded. With the functioning of the controller 26 the requested program is extracted through the demultiplexer 12 and recorded in the recording/reproducing unit 32 of the VTR 3, for example. Since the cassette memory unit 33 is capable of sending and receiving data to and from the I/F circuit 31, and is designed to be able to send and receive data to and from the program guide GUI generating part 25 of the TV2 through the I/F circuits 21, 31 and the 1394 cable 5, it would have been obvious that the VTR 3 can send relevant information of a program when requested via I/F circuit 31 and I/F circuit 21, at the requested time, in order to maintain the efficiency of the Okuyama system.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-7&16-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okuyama (US 6,289,169).

Regarding claim 1, Okuyama discloses an apparatus for and a method of displaying recorded contents preferred to program guide information on digital broadcast, comprising:

a) first extraction means for extracting content information of the program (see Fig.1; demultiplexer 12 and the transport stream; col.6, lines 18-25; and col.7, lines 14-19 and "the Olympic games highlights" as the transport stream);

b) second extraction means for extracting relevant information of the program (see Fig.1; demultiplexer 12 and the SIT stream; col.6, lines 18-25; and col.7, lines 14-19);

c) first output means (see Fig.1 and I/F circuit 13 of STB 1) for outputting the content information extracted by the first extraction means to the other information processing apparatus (see Fig.1 and VTR 3) via the network (see Fig.1 and cable 5 which is IEEE-1394 network) so that the content information is recorded in a first recording medium (see recording medium of the recording/reproducing unit 32) of the other information processing apparatus (see col.col.7, lines 19-30);

d) conversion means for converting the relevant information extracted by the second extraction means into a format in which the information can be processed by the other

information processing apparatus (see Fig.1, I/F circuit 13 which converts the inputted stream into an isochronous packet and transmits it to cable 5; col.6, lines 25-30; and col.7, lines 14-19; the EIT data is "converted" to the IEEE-1394 format for delivery to cassette memory 33);

e) receiving means for receiving an instruction to send relevant information of the program from the other information processing apparatus via the network at a timing at which the relevant information is extracted reliably (see Fig.1; controller 26, EIT data of program recorded in the cassette memory unit 33; col.5, lines 54-61; col.8, lines 1-31), here Okuyama discloses that the cassette memory unit 33 is capable of sending and receiving data to and from the I/F circuit 31, and is designed to be able to send and receive data to and from the program guide GUI generating part 25 of the TV2 through the I/F circuits 21, 31 and the 1394 cable 5. In col.4, line 5 to col.5, line 47), Okuyama discloses how a user using a remote control means, for example, can request for a program to be recorded. With the functioning of the controller 26 the requested program is extracted through the demultiplexer 12 and recorded in the recording/reproducing unit 32 of the VTR 3, for example.

As discussed above, since the cassette memory unit 33 is capable of sending and receiving data to and from the I/F circuit 31, and is designed to be able to send and receive data to and from the program guide GUI generating part 25 of the TV2 through the I/F circuits 21, 31 and the 1394 cable 5, it would have been obvious that the VTR 3 can send relevant information of a program when requested via I/F circuit 31 and I/F circuit 21, at the requested time, in order to maintain the efficiency of the Okuyama system: and

e) second output means (see Fig.1 and I/F circuit 31) for outputting the relevant information (GUI, which is part of SIT) whose format is converted by the conversion means to

the other information processing apparatus via the network (cable 5 of Fig.1) so that the relevant information whose format is converted by the conversion means is recorded in a second recording medium (see Fig.1 and memory unit 33 of VTR 3) of the other information processing apparatus in response to the instruction (see Fig.1, I/F circuit 21 and I/F circuit 31; col.7, lines 14-41 and col.8, lines 18-31).

Regarding claim 2, Okuyama discloses wherein the network comprises an IEEE 1394 serial bus (see Fig.1, cable 5; col.4, lines 20-25 and col.6, lines 25-37).

Regarding claim 3, Okuyama discloses wherein the first recording medium is a video cassette (see Fig.1; VTR 3 and cassette tape in VTR 3; col.7, lines 19-30).

Regarding claim 4, Okuyama discloses cassette memory unit 33 (second recording medium) attached to the VTR 3. The cassette memory unit 33 is designed to read information written in a cassette memory mounted in a tape cassette and also able to write information from the recording/reproducing unit 32 in a cassette memory unit 33 (see Fig.1, MIC cassette memory 33 which is attached to a VTR 3; col.2, lines 43-52; col.5, lines 47-65 and col.12, lines 40-60). Okuyama fails to explicitly disclose wherein the second recording medium is an IC card. Official Notice is taken that it is well known in the art to employ IC cards for storing data, and it is also well known in the art that an IC card is a detachable memory device. Therefore, it would have been obvious to one of ordinary skill in the art to embody memory unit 33 as an IC card in order to provide a detachable memory unit.

Regarding claim 5, Okuyama discloses wherein the relevant information contains at least one of the title, provider information, provider name, a genre code, the recorded position in the first recording medium, the recording start date and time, and the number of updates (see col.6, lines 1-4).

Regarding claim 6, the claimed limitations of claim 6 are accommodated in the discussions of claim 1 above.

Regarding claim 7, the claimed limitations of claim 7 are accommodated in the discussions of claim 1 above, including computer-readable recording medium (see Fig.8, PC 63; col.11, lines 60-67).

Regarding claim 16, Okuyama discloses an apparatus for and a method of displaying recorded contents preferred to program guide information on digital broadcast, comprising:

a) first acquiring means for acquiring a first instruction from the other information processing apparatus via the network (see user remote controller in col.5, lines 7-17; col.5, lines 54-60, and claim 1 discussions);

b) first recording means for recording content information of the program supplied from the other information processing apparatus via the network into a first recording medium on the basis of the first instruction acquired by the acquiring means (see Fig.1, the

recording/reproducing unit 32 of VTR 3; col.5, lines 38-47 ; and claim 1 discussions, wherein an instruction is sent for relevant information);

c) second acquiring means for acquiring a second instruction from the other information processing apparatus via the network (see col.5, lines 54-60 and claim 1 discussion above, wherein an instruction is sent for program information, for example);

d) output means for outputting a third instruction of sending relevant information of the program to the other information processing apparatus via the network at a timing at which the relevant information is extracted reliably and third acquiring means for acquiring the relevant information of the third instruction (see Fig.1; I/F circuit 31 and I/F circuit 21 and claim 1 discussions above;

e) second recording means for recording relevant information of the program into a second recording medium which is attached to the first recording medium on the basis of the second instruction acquired by the second acquiring means and for recording the relevant information of the program acquired by the third acquiring means into a second recording medium (see Fig.1, cassette memory unit 33 of VTR 3; col.5, lines 61-65 and col.7, lines 31-40) .

It is pertinent to note that, as Okuyama discloses tha the cassette memory unit 33 is capable of sending and receiving data to and from the I/F circuit 31 , and is designed to be able to send and receive data to and from the program guide GUI generating part 25 of the TV2 through the I/F circuits 21,31 and the 1394 cable 5 and to write GUI data on a cassette memory (see col.5, lines 54-61 and claim 1 discussions above).

Regarding claim 17, the claimed limitations of claim 17 are accommodated in the discussions of claim 2 above.

Regarding claim 18, the claimed limitations of claim 18 are accommodated in the discussions of claim 3 above.

Regarding claim 19, the claimed limitations of claim 19 are accommodated in the discussions of claim 4 above.

Regarding claim 20, the claimed limitations of claim 20 are accommodated in the discussions of claim 5 above.

Regarding claim 21, the claimed limitations of claim 21 are accommodated in the discussions of claim 16 above.

Regarding claim 22, the claimed limitations of claim 22 are accommodated in the discussions of claim 21 above, including computer-readable recording medium (see Fig.8, PC 63; col.11, lines 60-67).

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher O. Onuaku whose telephone number is (571) 272-7379. The examiner can normally be reached on M-F 8:30-6:00.

a. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Groody can be reached on 571-272-7950. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

COO

6/24/05

James J. Groody
Supervisory Patent Examiner
Art Unit ~~262~~ 2616